

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

A Bill

HOUSE BILL 1364

5 By: Representatives Gazaway, M. Shepherd
6 By: Senators C. Tucker, J. Bryant
7

For An Act To Be Entitled

8
9 AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 27 OF
10 THE ARKANSAS CODE CONCERNING TRANSPORTATION; AND FOR
11 OTHER PURPOSES.
12
13

Subtitle

14
15 TO MAKE TECHNICAL CORRECTIONS TO TITLE
16 27 OF THE ARKANSAS CODE CONCERNING
17 TRANSPORTATION.
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
20

21 SECTION 1. Arkansas Code § 27-15-101 is amended to read as follows to
22 repeal obsolete language and make stylistic changes:

23 27-15-101. Decal for deaf persons.

24 (a) The Department of Finance and Administration shall provide a motor
25 vehicle license plate decal for deaf persons upon the payment of a fee of one
26 dollar (\$1.00) and satisfactory proof that the person's average loss in the
27 speech frequencies of five hundred hertz to two thousand hertz (500 Hz-2,000
28 Hz) in the better ear is eighty-six decibels (86 dB) or ~~worse~~ more by the
29 International Organization for Standardization.

30 (b) The department shall design a decal to indicate that the operator
31 of the motor vehicle may be deaf.

32 ~~(c) The decals shall be made available beginning September 1, 1985.~~
33

34 SECTION 2. Arkansas Code § 27-15-316(a), concerning disabled veterans
35 under the Access to Parking for Persons with Disabilities Act, is amended to
36 read as follows to repeal obsolete language:



1 (a) As used in this section, “disabled veteran” means a person who
2 meets the definition of disabled veteran, or disabled veteran – nonservice
3 injury, ~~or disabled veteran – World War I~~, under § 27-24-203.

4
5 SECTION 3. Arkansas Code § 27-15-2203(b)(1), concerning the
6 requirements for vehicle restoration when applying for an antique motor
7 vehicle license plate, is amended to read as follows to repeal obsolete
8 language:

9 (b)(1) ~~Beginning on January 1, 2006, the~~ The Office of Motor Vehicle
10 shall require the owner of any antique motor vehicle licensed under this
11 subchapter to provide the Office of Motor Vehicle proof of conformity with
12 this subchapter.

13
14 SECTION 4. The introductory language to Arkansas Code § 27-20-104(a),
15 concerning the standard equipment required for street-use motor-driving
16 cycles and motorcycles, is amended to read as follows to repeal obsolete
17 language:

18 (a) ~~After July 5, 1977, all~~ All motor-driven cycles and all
19 motorcycles used upon the public streets and highways of this state shall be
20 equipped with the following standard equipment:

21
22 SECTION 5. Arkansas Code § 27-23-128 is amended to read as follows to
23 repeal obsolete language due to the repeal of § 27-50-701 by § 9 of this act
24 and the repeal of § 16-90-904 by Acts 2013, No. 1480, § 7, and to make
25 stylistic changes:

26 27-23-128. Deferment of sentence – Restrictions.

27 ~~No~~ A circuit court judge or district court judge may not utilize § 5-4-
28 321, § 16-90-115, ~~§ 16-90-904~~, §§ 16-93-301 – 16-93-303, or § 16-93-314, ~~or §~~
29 ~~27-50-701~~ or any other program to defer imposition of sentence or enter the
30 person into a diversion program in instances in which the person holds a
31 commercial driver license or a commercial learner’s permit and is charged
32 with violating any state or local traffic law other than a parking violation.

33
34 SECTION 6. Arkansas Code § 27-24-203(4), concerning the definitions
35 used in relation to special license plates for military service and veterans,
36 is repealed as obsolete.

1 ~~(4) “Disabled veteran — World War I” means a World War I veteran~~
 2 ~~who:~~

3 ~~(A) Received a disabling injury while serving in the~~
 4 ~~United States Armed Forces during World War I; and~~

5 ~~(B) Is either:~~

6 ~~(i) The owner of a motor vehicle that is used by or~~
 7 ~~for the totally and permanently disabled veteran; or~~

8 ~~(ii) Furnished a motor vehicle by the United States~~
 9 ~~Department of Veterans Affairs;~~

10
 11 SECTION 7. Arkansas Code § 27-50-310(b), concerning the unlawful use
 12 of officially designated school bus colors or the words “school bus”, is
 13 amended to read as follows to clarify a criminal offense and make stylistic
 14 changes:

15 (b) Any person violating ~~the provisions of~~ subsection (a) ~~shall be~~
 16 ~~deemed of this section upon conviction is~~ guilty of a ~~misdemeanor~~ violation
 17 and ~~upon conviction~~ shall be fined in any sum not less than twenty-five
 18 dollars (\$25.00) and not more than one hundred dollars (\$100).

19
 20 SECTION 8. Arkansas Code § 27-50-505(c), concerning the obligation of
 21 an owner of a motor vehicle to provide information regarding the operation of
 22 a motor vehicle ticketed for a violation, is amended to read as follows to
 23 clarify a criminal offense and make stylistic changes:

24 (c) Failure or refusal of any registered owner of a motor vehicle to
 25 comply with ~~the provisions of~~ this section ~~shall be a misdemeanor~~ is a
 26 violation. Upon conviction, the person ~~shall be~~ is subject to a fine of not
 27 less than five dollars (\$5.00) nor more than fifty dollars (\$50.00).

28
 29 SECTION 9. Arkansas Code Title 27, Chapter 50, Subchapter 7, is
 30 repealed because its provisions are codified at § 5-4-321.

31 ~~Subchapter 7 — Trial and Judgment~~

32
 33 ~~27-50-701. Postponement of judgment.~~

34 ~~In traffic misdemeanor cases, other than cases involving driving under~~
 35 ~~the influence of alcohol or drugs, the judge shall have authority to postpone~~
 36 ~~judgment for not more than one (1) year, during which period the defendant~~

1 ~~shall be in a probationary status, supervised or unsupervised, and shall~~
2 ~~remain in probationary status until judgment is entered.~~

3
4 ~~27-50-702. Request for entry or postponement of judgment.~~

5 ~~(a) At the request of the defendant, parent of a minor defendant, or~~
6 ~~counsel for the defense, judgment shall be entered as quickly as feasible and~~
7 ~~not more than ten (10) days following such request.~~

8 ~~(b) At the request of the defendant, parent of a minor defendant, or~~
9 ~~counsel for the defense, probation may be continued and judgment postponed~~
10 ~~for more than one (1) year.~~

11
12 SECTION 10. Arkansas Code § 27-50-802 is repealed as obsolete.

13 ~~27-50-802. Certain speeding convictions not included in report—~~
14 ~~Exception for chauffeurs.~~

15 ~~(a) All courts in this state required by law to furnish records of~~
16 ~~convictions of all motor vehicle violations to the Office of Driver Services~~
17 ~~shall continue to furnish the records, but in compiling reports of~~
18 ~~convictions of traffic violations, the Office of Driver Services shall not~~
19 ~~include in the traffic violation report of any individual any conviction for~~
20 ~~the offense of speeding if the conviction is based on speeding upon a public~~
21 ~~highway in excess of fifty five miles per hour (55 m.p.h.) speed limit as~~
22 ~~established pursuant to Pub. L. No. 93-239 of January 2, 1974, but less than~~
23 ~~seventy five miles per hour (75 m.p.h.).~~

24 ~~(b) The Office of Driver Services shall include in the traffic~~
25 ~~violation report of any person holding a chauffeur's license any conviction~~
26 ~~for the offense of speeding in excess of the fifty five miles per hour (55~~
27 ~~m.p.h.) speed limit as established pursuant to Pub. L. No. 93-239 of January~~
28 ~~2, 1974, to the employer of the person and shall furnish the complete driver~~
29 ~~history record of the person pursuant to a written authorization as provided~~
30 ~~in § 27-50-908 to the employer of the person holding a chauffeur's license.~~

31
32 SECTION 11. Arkansas Code § 27-50-803 is amended to read as follows to
33 clarify the section and make stylistic changes:

34 27-50-803. Notification when minor convicted.

35 (a) As used in this section, "minor" means a person under eighteen
36 (18) years of age.

1 ~~(b) Whenever any court in this state shall convict any person under~~
 2 ~~eighteen (18) years of age~~ If a minor is convicted of any moving traffic
 3 violation under the laws of this state, or under any municipal ordinance,
 4 whether the fine and sentence imposed ~~shall be~~ is collected or whether ~~it may~~
 5 ~~be the fine and sentence imposed is~~ suspended, the ~~convicting~~ court shall
 6 notify in writing the parents, guardian, or other person who signed the
 7 application of the ~~person~~ minor for ~~an instructor's a~~ permit or ~~operator's~~
 8 license as required by ~~the provisions of~~ under § 27-16-702.

9 ~~(c) If the convicted person~~ minor does not have ~~an instructor's a~~
 10 permit or ~~operator's~~ license, the court shall notify the father or mother of
 11 the ~~person~~ minor, if living, or the guardian or other person having custody
 12 of the ~~person~~ minor of the conviction.

13
 14 SECTION 12. Arkansas Code § 27-67-320 is amended to read as follows to
 15 clarify the section, correct an obsolete reference, and make stylistic
 16 changes:

17 27-67-320. Acquisition when county court fails to grant petition.

18 (a) ~~Where~~ If the State Highway Commission petitions any county court
 19 asking for a right-of-way for any state highway and ~~where~~ the county court
 20 fails to grant the petition and ~~to make~~ issue a court order procuring the
 21 right-of-way within sixty (60) days after the petition is presented, then the
 22 commission may take such steps as ~~it~~ the commission deems expedient to
 23 acquire the right-of-way, either by purchase, exercise of ~~its~~ the
 24 commission's right of eminent domain, or otherwise.

25 (b) ~~In that event~~ If the commission acquires the right-of-way by
 26 purchase, eminent domain, or otherwise, one-half ($\frac{1}{2}$) of the cost of acquiring
 27 the right-of-way shall be deducted from the next payment due ~~any~~ the county
 28 by reason of any appropriation out of the ~~State Highway~~ County Aid Fund or
 29 state revenue from gasoline as motor vehicle fuel or auto license tax to the
 30 county or county highway fund of the county.

31 (c) ~~All suits~~ A suit involving the validity of this section or any
 32 portion of ~~it shall be deemed matters~~ this section is a matter of public
 33 interest and shall be advanced and disposed of at the earliest possible
 34 moment, and appeals in such suits ~~must~~ shall be taken and perfected within
 35 thirty (30) days from the date of the judgment or decree.

36

1 SECTION 13. Arkansas Code § 27-101-412(b), concerning sewage disposal
 2 by commercial boating facilities, docks, and marinas, is amended to read as
 3 follows to repeal obsolete language:

4 (b) ~~By July 1, 2004, any~~ Any person owning or operating a commercial
 5 boating facility, dock, or marina that stores or houses vessels equipped with
 6 toilet facilities and marine sanitation devices shall provide access to
 7 sewage pumpout facilities.

8
 9 SECTION 14. DO NOT CODIFY. CONSTRUCTION AND LEGISLATIVE INTENT.

10 It is the intent of the General Assembly that:

11 (1) The enactment and adoption of this act shall not expressly
 12 or impliedly repeal an act passed during the regular session of the Ninety-
 13 Fifth General Assembly;

14 (2) To the extent that a conflict exists between an act of the
 15 regular session of the Ninety-Fifth General Assembly and this act:

16 (A) The act of the regular session of the Ninety-Fifth
 17 General Assembly shall be treated as a subsequent act passed by the General
 18 Assembly for the purposes of:

19 (i) Giving the act of the regular session of the
 20 Ninety-Fifth General Assembly its full force and effect; and

21 (ii) Amending or repealing the appropriate parts of
 22 the Arkansas Code of 1987; and

23 (B) Section 1-2-107 shall not apply; and

24 (3) This act shall make only technical, not substantive, changes
 25 to the Arkansas Code of 1987.

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